UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 05-4753

UNITED STATES OF AMERICA

v.

DANIEL J. LEVETO,

Appellant

On Appeal from the United States District Court for the Western District of Pennsylvania

(D.C. No. 01-cr-00006) District Judge: The Honorable Maurice B. Cohill, Jr.

ARGUED NOVEMBER 1, 2007

BEFORE: RENDELL, WEIS, and NYGAARD, Circuit Judges.

JUDGMENT

This cause came to be heard on the record from the United States District Court for the Western District of Pennsylvania and was argued by counsel on November 1, 2007.

On consideration whereof, it is now here ORDERED AND ADJUDGED by this Court that the judgment of the said District Court entered on October 14, 2005, be, and the same is hereby AFFIRMED.

All of the above in accordance with the opinion of this Court.

ATTEST

/s/ Marcia M. Waldron Clerk

Dated: August 26, 2008